

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

*Pro se* Petitioner Tony Malone filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. [ECF No. 1](#). Respondent Michelle Miller filed the Return of Writ. [ECF No. 9](#). Petitioner filed the Traverse to Return of Writ. [ECF No. 10](#). Over eight month's later, Petitioner filed a motion to withdraw his petition. [ECF No. 11](#). On November 3, 2016, Magistrate Judge Jonathan D. Greenberg issued a report ([ECF No. 16](#)) recommending the *pro se* Petitioner's Motion to Withdraw be denied.<sup>1</sup>

Fed. R. Civ. P. 72(b)(2) provides that objections to a report and recommendation must be filed within fourteen (14) days after service. Objections to the magistrate judge's report due on November 20, 2016.<sup>2</sup> Petitioner has not filed any objections to the magistrate judge's report and

<sup>1</sup> *Pro se* petitions for habeas corpus filed under 28 U.S.C. § 2254 are referred to a magistrate judge for preparation of a report and recommendation pursuant to Local Rule 72.2(b)(2).

<sup>2</sup> Under [Fed. R. Civ. P. 6\(d\)](#), three days must be added to the fourteen-day time period because Plaintiff was served the Magistrate Judge's Report by mail. *See*

(continued...)

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recommendation. Any further review by the Court would be a duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981).

Accordingly, the Court adopts the magistrate judge's Report and Recommendation. Petitioner's Motion to Withdraw ([ECF No. 11](#)) is denied.

IT IS SO ORDERED.

December 21, 2016  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge

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<sup>2</sup>(...continued)  
[\*Thompson v. Chandler\*, 36 F. App'x. 783, 784 \(6th Cir. 2002\).](#)